

Atty. Dkt. No. 084561-0108  
Appl. No. 09/888,439

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Please add the following limitations to each of the independent Claims 1, 94, and 204 as follows to put the present application in a clear condition for allowance, without the need for further search/consideration:

1. (Currently amended) A method for buyer-driven targeting by a system comprising:  
receiving ~~directly or indirectly~~ from each of a plurality of buyer entities at least one respective third party purchase record or information ~~verifiably~~ derived therefrom, said purchase record or information ~~verifiably~~ derived therefrom comprising data associated with the purchase of products or services for which the payment was not carried out by the system, wherein the receipt of the third party purchase record or information derived therefrom occurs on the initiative and with the consent of the buyer entity associated with that purchase record;

storing information associated with said data;

for a plurality of product or service items offered for sale, wherein each different item in said plurality of items is either manufactured or marketed or distributed or provided by a different third party advertiser in a plurality of third party advertisers, and wherein said manufacture, marketing, distribution, point of sale payment or provision of the product or service is not carried out by the system in the ordinary course of business, making or helping make with respect to at least one of said buyer entities, based at least in part on said data, at least one ~~discriminatory~~ decision associated with the offering of at least one from among a plurality of different preferential ~~contingent~~ incentives, with each incentive associated with at least one of said product or service items and associated with at least one of the third party advertisers, wherein there is at least one different preferential ~~contingent~~ incentive from each of a plurality of the different third party advertisers, each of said incentives offering at least one benefit in exchange for at least one action associated with a ~~possible~~ purchase of at least one of said items, said benefit not normally and publicly

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accessible to said buyer entity or other buyer entities in the same geographic region on terms which are at least objectively equivalent, and which do not include material conditions that are different from said at least one action, said ~~discriminatory~~ decision regarding the at least one incentive that is to be offered to the buyer entity being based at least in part on stored data relating to purchases made by said buyer entity with merchants other than the third party advertiser that is associated with the incentive; and

~~offering or facilitating the offering of at least one of said preferential contingent incentives to said buyer entity, without having transferred to said third party advertiser directly or indirectly any full name associated with said buyer entity at the time that the incentive is offered but has not yet been responded to by said buyer entity, with the condition precedent for this step that the system has received directly or indirectly from that buyer entity the at least one respective third party purchase record or information verifiably derived therefrom.~~

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2-9 (Cancelled).

10. (Previously presented) The method as defined in claim 1, further comprising:

obtaining acceptance information on whether one of the buyer entities accepted the incentive; and

storing the acceptance information to a database.

11. (Previously presented) The method as defined in claim 10, further comprising: obtaining additional information on whether the buyer entity made a follow-up purchase or a co-purchase contemporaneous with or after accepting the incentive and inputting the additional information to be stored.

12. (Previously presented) The method as defined in claim 1, wherein said making or helping to make at least one decision step further comprises the categorization of purchases listed from a plurality of independent third party merchants in the purchase records or information verifiably derived therefrom based on a set of categories.

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13. (Previously presented) The method as defined in claim 12, further comprising:

calculating or facilitating the calculation of a separate score for one of the buyer entities in at least one of the categories based on purchase data associated with purchases by the buyer entity in each of the respective categories.

14-46 (Cancelled).

47. (Previously presented) The method as defined in claim 13, further comprising:

receiving additional information on whether one of the buyer entities accepted the incentive; and

recalculating at least one of the scores for one of the buyer entities based on the additional information.

48. (Previously presented) The method as defined in claim 47, further comprising: determining if the recalculated score qualifies said one of the buyer entities for an on-going incentive.

49. (Previously presented) The method as defined in claim 47, further comprising:

recalculating the incentive by applying said recalculated score of said one of the buyer entities to an incentive function or algorithm.

50. (Cancelled)

51. (Currently amended) The method as defined in claim 47 1, wherein the plurality of incentives are provided across a plurality of distribution channels.

52. (Previously presented) The method as defined in claim 13, comprising: receiving additional information that one of the buyer entities visited a predetermined web site; and recalculating one of the scores of said one of the buyer entities to increase the score based on additional information.

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53-63. (Cancelled).

64. (Previously presented) The method as defined in claim 1, further comprising:  
submitting a request to one of said buyer entities to provide a rating of a product or service item only if the purchase record or the information verifiably derived therefrom indicates that a purchase of the product or service item to be rated has been or might have been made.

65. (Previously presented) The method as defined in claim 64, further comprising:  
weighting each entity submitted rating for a product or service item according to the money spent on the particular product or service item by the entity; and  
creating an average rating for the product or service item based on the weighted entity submitted ratings.

66-67 (Cancelled)

68. (Previously presented) The method as defined in claim 13, further comprising the step of calculating a charge for providing the incentive based on both the size of a group of buyer entities resulting from a search of the stored data and the scores of the buyer entities.

69-93 (Cancelled)

94. (Currently Amended) A method system for buyer-driven targeting ~~by a system~~ comprising:

a first component for receiving ~~directly or indirectly~~ from each of a plurality of buyer entities at least one respective third party purchase record or information ~~verifiably~~ derived therefrom, said purchase record or information ~~verifiably~~ derived therefrom comprising data associated with the purchase of products or services for which the payment was not carried out by the system, wherein the receipt of the third party purchase record or information

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derived therefrom occurs on the initiative and with the consent of the buyer entity associated with that purchase record;

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a second component for storing information associated with said data; for a plurality of product or service items offered for sale, wherein each different item in said plurality of items is either manufactured or marketed or distributed or provided by a different third party advertiser in a plurality of third party advertisers, and wherein said manufacture, marketing, distribution, point of sale payment or provision of the product or service is not carried out by ~~said the~~ system in the ordinary course of business, a third component for making or helping make with respect to at least one of said buyer entities, based at least in part on said data, at least one ~~discriminatory~~ decision associated with the offering of at least one from among a plurality of different preferential ~~contingent~~ incentives, with each incentive associated with at least one of said product or service items and associated with at least one of ~~said the~~ third party advertisers, wherein there is at least one different preferential ~~contingent~~ incentive from each of ~~the a~~ plurality of ~~said the~~ different third party advertisers, each of said incentives offering at least one benefit in exchange for at least one action associated with a ~~possible~~ purchase of at least one of said items, said benefit not normally and publicly accessible to said buyer entity or other buyer entities in the same geographic region on terms which are at least objectively equivalent, and which do not include material conditions that are different from said at least one action, said ~~discriminatory~~ decision regarding the at least one incentive that is to be offered to the buyer entity being based at least in part on stored data relating to purchases made by said buyer entity with merchants other than the third party advertiser that is associated with the incentive; and

a fourth component for ~~offering or~~ facilitating the offering of at least one of said preferential ~~contingent~~ incentives to said buyer entity, without having transferred to said third party advertiser ~~directly or indirectly~~ any full name associated with said buyer entity at the time that ~~said the~~ incentive is offered but has not yet been responded to by said buyer entity, with the condition precedent for this step that ~~said the~~ system has received ~~directly or indirectly~~ from that buyer entity ~~said the~~ at least one respective third party purchase record or information verifiably derived therefrom.

95-99 (Cancelled)

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100. (Previously presented) The system as defined in claim 94, further comprising  
a component for obtaining acceptance information on whether one of the buyer entities accepted the incentive; and  
a component for storing the acceptance information to a database.

101. (Previously presented) The system as defined in claim 100, further comprising a component for obtaining additional information on whether the buyer entity made a follow-up purchase or a co-purchase contemporaneous with or after accepting the incentive and inputting the additional information to be stored.

FI 102. (Previously presented) The system as defined in claim 94, wherein said second component for making or helping make a decision step further comprises a component for categorizing purchases listed from a plurality of independent third party merchants in the proof of purchase records based on a set of categories.

103. (Previously presented) The system as defined in claim 102, further comprising a component for calculating at least one score for a buyer entity based on the amount purchased in one or more selected categories.

104-136 (Cancelled).

137. (Previously presented) The system as defined in claim 103, further comprising:  
a component for receiving information on whether one of the buyer entities accepted the incentive; and  
a component for recalculating at least one of the scores for one of the buyer entities based on the buyer entity accepting the incentive.

138. (Previously presented) The system as defined in claim 137, further comprising: a component for determining if the recalculated score qualifies said one of the buyer entities for an on-going incentive.

139. (Previously presented) The system as defined in claim 137, further comprising: a component for recalculating the incentive determined in said offering or

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facilitating the offering component by applying said recalculated score of said one of the buyer entities to an incentive function.

140. (Cancelled)

141. (Previously presented) The system as defined in claim ~~137~~ 94, wherein the system provides the plurality of incentives across a plurality of distribution channels.

142. (Previously presented) The system as defined in claim 103, comprising: a component for receiving information that one of the buyer entities visited a predetermined web site; and recalculating one of the scores of said one of the buyer entities to increase the score based on this visit.

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143-153 (Cancelled)

154. (Previously presented) The system as defined in claim 94, further comprising a component for submitting a request to one of said buyer entities to provide a rating of a product or service only if the purchase record of the buyer entity shows a purchase of the product or service to be rated.

155. (Previously presented) The system as defined in claim 154, further comprising:  
a component for weighting each entity submitted rating for a product or service according to the money spent on the particular product or service by the entity; and  
a component for creating an average rating for the product or service based on the weighted entity submitted ratings.

156. (Cancelled).

157. (Cancelled)

158. (Previously presented) The system as defined in claim 103, further comprising a component for calculating a charge for providing the incentive based on both the size of a group of buyer entities resulting from a search of the stored data and the scores of the buyer entities.

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159-203 (Cancelled)

204. (Currently amended) A program product for buyer-driven targeting by a system comprising machine-readable program code for, when executed, causing a machine to perform the following steps:

receiving ~~directly or indirectly~~ from each of a plurality of buyer entities at least one respective third party purchase record or information ~~verifiably~~ derived therefrom, said purchase record or information ~~verifiably~~ derived therefrom comprising data associated with the purchase of products or services for which the payment was not carried out by the system, wherein the receipt of the third party purchase record or information derived therefrom occurs on the initiative and with the consent of the buyer entity associated with that purchase record;

storing information associated with said data;

for a plurality of product or service items offered for sale, wherein each different item in said plurality of items is either manufactured or marketed or distributed or provided by a different third party advertiser in a plurality of third party advertisers, and wherein said manufacture, marketing, distribution, point of sale payment or provision of the product or service is not carried out by the system in the ordinary course of business, making or helping make with respect to at least one of said buyer entities, based at least in part on said data, at least one ~~discriminatory~~ decision associated with the offering of at least one from among a plurality of different preferential ~~contingent~~ incentives, with each incentive associated with at least one of said product or service items and associated with at least one of the third party advertisers, wherein there is at least one different preferential ~~contingent~~ incentive from each of a plurality of the different third party advertisers, each of said incentives offering at least one benefit in exchange for at least one action associated with a ~~possible~~ purchase of at least one of said items, said benefit not normally and publicly accessible to said buyer entity or other buyer entities in the same geographic region on terms which are at least objectively equivalent, and which do not include material conditions that are different from said at least one action, said ~~discriminatory~~ decision regarding the at least one incentive that is to be offered to the buyer entity being based at least in part on stored data relating to purchases made by said buyer entity with merchants other than the third party advertiser that is associated with the incentive; and



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~~offering or~~ facilitating the offering of at least one of said preferential ~~contingent~~-incentives to said buyer entity, without having transferred to said third party advertiser ~~directly or indirectly~~ any full name associated with said buyer entity at the time that the incentive is offered but has not yet been responded to by said buyer entity, with the condition precedent for this step that the system has received ~~directly or indirectly~~ from that buyer entity the at least one respective third party purchase record or information verifiably derived therefrom.

205. (Cancelled)

FI 206. (New) A method for buyer-driven targeting by a system comprising:

receiving from each of a plurality of buyer entities at least one respective third party purchase record or information derived therefrom, said purchase record or information derived therefrom comprising data associated with the purchase of products or services for which the payment was not carried out by the system, wherein the receipt of the third party purchase record or information derived therefrom occurs on the initiative and with the consent of the buyer entity associated with that purchase record;

storing information associated with said data;

for a plurality of product or service items offered for sale, wherein each different item in said plurality of items is either manufactured or marketed or distributed or provided by a different third party advertiser in a plurality of third party advertisers, and wherein said manufacture, marketing, distribution, point of sale payment or provision of the product or service is not carried out by the system in the ordinary course of business, making or helping make with respect to at least one of said buyer entities, based at least in part on said data, at least one decision associated with the offering of at least one from among a plurality of different preferential incentives, with each incentive associated with at least one of said product or service items and associated with at least one of the third party advertisers, wherein there is at least one different preferential incentive from each of a plurality of the different third party advertisers, each of said incentives offering at least one benefit in exchange for at least one action associated with a purchase of at least one of said items, said benefit not normally and publicly accessible to said buyer entity or other buyer entities in the same geographic region on terms which are at least objectively equivalent, and which do not

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include material conditions that are different from said at least one action, said decision regarding the at least one incentive that is to be offered to the buyer entity being based at least in part on stored data relating to purchases made by said buyer entity with merchants other than the third party advertiser that is associated with the incentive; and

facilitating the offering of at least one of said preferential incentives to said buyer entity, without having transferred to said third party advertiser any full name associated with said buyer entity at the time that the incentive is offered but has not yet been responded to by said buyer entity, with the condition precedent for this step that the system has received from that buyer entity the at least one respective third party purchase record or information verifiably derived therefrom;

wherein said receiving comprises automatically accessing web-based online accounts of said buyer entities using passwords and usernames of said buyer entities for gathering at least some of said information relating to said purchases made by the buyer entities, said passwords and usernames being provided on the initiative and with the consent of the buyer entities; and

wherein access is provided to at least one of the buyer entities to individual items of information in a profile associated with that buyer entity with an option to delete said individual item of information.

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